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2
3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF WASHINGTON

5 MARTEL Z. MORFIN,

6 Plaintiff,

7 v.

8 CAROLYN W. COLVIN,
9 Commissioner of Social Security,

10 Defendant.

11
12 No. 2:13-CV-3084-JTR

13
14 ORDER GRANTING STIPULATED
15 MOTION FOR REMAND
16 PURSUANT TO SENTENCE FOUR
17 OF 42 U.S.C. § 405(g)

18
19 BEFORE THE COURT is the parties' stipulated Motion for Remand of
20 the above-captioned matter to the Commissioner for additional administrative
21 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21.
22 Attorney D. James Tree represents Plaintiff; Special Assistant United States
23 Attorney Richard A. Morris represents Defendant. The parties have consented to
24 proceed before a magistrate judge. ECF No. 7. After considering the file, and
25 proposed order,

26 **IT IS ORDERED:**

27 1. The parties' Stipulated Motion For Remand, **ECF No. 21**, is
28 **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the
29 Commissioner of Social Security for further administrative proceedings pursuant to
30 sentence four of 42 U.S.C. § 405(g).

31 On remand, this matter will be assigned to a different administrative law
32 judge (ALJ), who will hold a new hearing and issue a new decision. The new ALJ
33 shall: (1) update the treatment evidence on Plaintiff's medical condition; (2)

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35 ORDER GRANTING STIPULATED MOTION FOR REMAND . . . - 1

1 articulate how Plaintiff's subjective complaints have been evaluated; (3) expressly
2 evaluate the treating, examining, and non-examining medical source opinions in
3 the updated record and explain the reasons for the weight given to this opinion
4 evidence; (4) further consider Plaintiff's residual functional capacity on the
5 updated record, citing specific evidence in support of the assessed limitations;
6 (5) further consider whether Plaintiff has past relevant work he could perform with
7 the limitations established by the evidence; and (6) secure supplemental evidence
8 from a vocational expert to clarify the effect of the assessed limitations on
9 Plaintiff's occupational base. The ALJ will take any other actions necessary to
10 develop the record, and Plaintiff may submit additional evidence and present
11 additional argument to the ALJ on remand.

2. Judgment shall be entered for **PLAINTIFF**.

3. Plaintiff's Motion for Summary Judgment, ECF No. 17, is

STRICKEN AS MOOT.

4. An application for attorney fees may be filed by separate motion.

The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED May 23, 2014.



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JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE